



DIGEST SUPPLEMENT

To Legislative Digest and History of Bills
Supplement No. 49*

FIFTY-SEVENTH LEGISLATURE

Tuesday, March 27, 2001

79th Day - 2001 Regular

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House Bills

HB 1180-S2 by House Committee on Appropriations (originally sponsored by Representatives Cody, Marine, Ruderman, McMorris and Schual-Berke; by request of Department of Health)

Obtaining and expending funds for the public health system.

(AS OF HOUSE 2ND READING 3/13/01)

Declares an intent that gifts and other funds received by the department of health under the authority granted by RCW 43.70.040 may be used to expand or enhance program operations so long as program standards established by the department are maintained, but may not supplant or replace funds for federal, state, county, or city-supported programs.

Creates the public health supplemental account.

Provides that expenditures from the account may be used only for maintaining and improving the health of Washington residents through the public health system. Expenditures from the account shall not be used to pay for or add permanent full-time equivalent staff positions.

Requires the department to file an annual statement of the financial condition, transactions, and affairs of any program funded under this act in a form and manner prescribed by the office of financial management. A copy of the annual statement shall be filed with the speaker of the house of representatives and the president of the senate.

-- 2001 REGULAR SESSION --

Mar 8 APP - Majority; 2nd substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

Mar 12 Placed on second reading by Rules Committee.

Mar 13 2nd substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 80; nays, 14; absent, 4.

- IN THE SENATE -

Mar 15 First reading, referred to Health & Long-Term Care.

HB 1936 by Representatives Quall, Morris, Linville, Grant, Sehlin, Doumit, Esser and Anderson

Allowing the residential owner of land that abuts state-owned shoreland to anchor their boats to adjacent buoys.

(AS OF HOUSE 2ND READING 3/13/01)

Provides that the abutting residential owner to state-owned shorelands, tidelands, or related beds of navigable waters, may anchor to buoys without charge if the boat that is anchored is used for private recreational purposes and the area is not subject to prior rights. Buoys cannot be sold or leased separately from the upland residence. The mooring buoy cannot be used for commercial, transient, or residential use. This permission is subject to the boat not posing a hazard or obstruction to navigation or fishing or habitat degradation.

-- 2001 REGULAR SESSION --

Feb 8 First reading, referred to Natural Resources.

Feb 26 NR - Executive action taken by committee.
NR - Majority; do pass.

Feb 27 Passed to Rules Committee for second reading.

Mar 9 Placed on second reading suspension calendar by Rules Committee.
Rules suspended.
Placed on second reading.

Mar 13 Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 91; nays, 0; absent, 7.

- IN THE SENATE -

Mar 15 First reading, referred to Natural Resources, Parks & Shorelines.

HB 1997-S by House Committee on Local Government & Housing (originally sponsored by Representatives Alexander, DeBolt, Doumit, Mulliken, Dunshee, Mielke, Kessler, Hatfield and Ogden)

Revising provisions relating to industrial land banks.

(AS OF HOUSE 2ND READING 3/13/01)

Declares that this act relates to establishing industrial land banks outside urban growth areas.

Declares that the authority of a county meeting the criteria of this act to engage in the process of including or excluding master planned locations from the urban industrial land bank terminates on December 31, 2002. However, any location included in the urban industrial land bank on December 31, 2002, shall be available for major industrial development as long as the criteria of this act are met.

Declares that this act and the termination date specified in this act apply to a county that at the time the process is established:

(1) Has a population greater than forty thousand but fewer than eighty thousand;

(2) Has an average level of unemployment for the preceding three years that exceeds the average state unemployment for those years by twenty percent; and

(3) Is located in the Interstate 5 or Interstate 90 corridor.

-- 2001 REGULAR SESSION --

Feb 26 LGH - Majority; 1st substitute bill be substituted, do pass.
Feb 27 Passed to Rules Committee for second reading.
Mar 12 Placed on second reading by Rules Committee.
Mar 13 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 96; nays, 0; absent, 2.

- IN THE SENATE -

Mar 15 First reading, referred to State & Local Government.

HB 2137-S by House Committee on Education (originally sponsored by Representatives Hunt, Armstrong, Talcott, Quall, Wood, Delvin, Rockefeller, Fromhold, Keiser and Jackley)

Prohibiting explosives on school premises.

(AS OF HOUSE 2ND READING 3/13/01)

Prohibits explosives on school premises.

Declares that, for purposes of this act, "explosive" means an explosive as defined in RCW 70.74.010, except that "explosive" shall not include common fireworks as defined in RCW 70.77.126.

Declares that this act shall not be construed to require suspension or expulsion for the possession of fireworks on school grounds. As used in this act, "fireworks" means any fireworks defined in RCW 70.77.126 and determined by the Washington state fire marshal to be legally possessed by the person in possession of the fireworks.

-- 2001 REGULAR SESSION --

Feb 26 ED - Majority; 1st substitute bill be substituted, do pass.
Feb 27 Passed to Rules Committee for second reading.
Mar 11 Placed on second reading by Rules Committee.
Mar 13 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 94; nays, 0; absent, 4.

- IN THE SENATE -

Mar 15 First reading, referred to Education.

HB 2172-S by House Committee on Commerce & Labor (originally sponsored by Representatives Grant and Mastin)

Modifying provisions on the repair and maintenance of backflow prevention assemblies.

(AS OF HOUSE 2ND READING 3/13/01)

Provides that each applicant for a backflow prevention assembly repair specialty plumber's certificate of competency shall furnish written evidence that he or she is certified as a backflow assembly tester by the department of health, and is registered as a contractor by the department.

Provides that the owner of a building classified as a group R, division 3 occupancy, as defined in the state building code adopted under chapter 19.27 RCW shall have the backflow prevention assembly tested by a department of health certified backflow assembly tester:

(1) At the time of installation, repair, or relocation, if required by the local official, board, department, or agency authorized to administer and enforce the provisions of the uniform plumbing code as adopted under this chapter; or

(2) When such official, board, department, or agency finds that cross-connection control within the property lines of the premises may fail to prevent pollution or contamination of the domestic water supply.

-- 2001 REGULAR SESSION --

Feb 27 CL - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.
Mar 11 Placed on second reading by Rules Committee.
Mar 13 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 90; nays, 4; absent, 4.

- IN THE SENATE -

Mar 15 First reading, referred to Labor, Commerce & Financial Institutions.

House Concurrent Resolutions

HCR 4410 by Representatives Sump, Doumit, Sehlin, H. Sommers, Mulliken, Linville, Armstrong, Murray, Alexander and Hatfield

Creating a joint select legislative task force to evaluate the state's authority under the forest resources conservation and shortage relief act.

(AS OF HOUSE 2ND READING 3/13/01)

Creates a joint select legislative task force to evaluate the state's authority under the forest resources conservation and shortage relief act, and to identify and evaluate factors that contribute to the amount of competition for state and local government timber sales.

Resolves that the task force gather information regarding changes in the forest products industry in Washington state since the rules were adopted; the current market for state and local timber; factors that contribute to the sale of, and competition for, state and local government timber, including but not limited to appraisal practices and the processes used by state and local governments for offering timber sales; and other factors that the task force considers appropriate.

Resolves that an advisory committee be established to provide assistance upon request of the joint select legislative task force.

-- 2001 REGULAR SESSION --

Feb 26 First reading, referred to Natural Resources.
NR - Executive action taken by committee.
NR - Majority; do pass.

Feb 27 Passed to Rules Committee for second reading.

Mar 11 Placed on second reading by Rules Committee.

Mar 13 Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, adopted: yeas, 94; nays, 0; absent, 4.

- IN THE SENATE -

Mar 15 First reading, referred to Natural Resources, Parks & Shorelines.

Senate Bills

SB 5024-S by Senate Committee on Natural Resources, Parks & Shorelines (originally sponsored by Senators Jacobsen, Oke and Carlson)

Declaring policies of the parks and recreation commission.

(AS OF SENATE 2ND READING 3/14/01)

Declares that all of the public ought to be able to enjoy public parks and parkways without any sort of fee for basic parkland access, including day use fees and daytime parking fees. Basic parkland access fees are not conducive to maximizing public access to these lands which all members of the public have helped to pay for. Automobile parking fees also encourage park visitors to park on neighboring land, causing disruption to citizens that are located near parks.

Requires that the state parks and recreation commission, using its own resources and through partnerships with private and public entities shall:

(1) Protect and preserve natural, recreational, cultural, and historical resources of significance to the state;

(2) Foster public enjoyment, understanding, appreciation, and safe use of these resources through education;

(3) Host a wide range of public recreation experiences to renew the human spirit;

(4) Welcome visitors from all cultural, ethnic, and social backgrounds, as well as seniors, youth, and the physically and mentally challenged;

(5) Provide safe, attractive, high-quality facilities and programs to those who use the state's park system; and

(6) Promote state and community tourism and economic vitality, and

(7) Ensure that parks are open to all individuals, regardless of means, by not charging any sort of fee for basic parkland access including daytime parking fees, except that the commission may charge a boat moorage fee.

Provides that, in addition to other duties the commission may from time to time impose, it is the duty of the director to, on or before December 1st of each even-numbered year, provide to the legislature a comprehensive summary report of all state parks and recreation operations to reflect the previous fiscal period.

-- 2001 REGULAR SESSION --

Jan 30 NPS - Majority; 1st substitute bill be substituted, do pass.

Jan 31 Passed to Rules Committee for second reading.

Mar 13 Placed on second reading by Rules Committee.

Mar 14 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 46; nays, 3; absent, 0.

- IN THE HOUSE -

Mar 15 First reading, referred to Natural Resources.

SB 5051 by Senators Long, Hargrove, Winsley, Haugen, Stevens, Patterson, McAuliffe, Fairley and Carlson

Changing provisions relating to persons incapacitated by a chemical dependency.

(AS OF SENATE 2ND READING 3/07/01)

Amends RCW 70.96A.020, 70.96A.050 and 70.96A.140 to change provisions relating to persons incapacitated by a chemical dependency.

Provides that the county alcoholism and other drug addiction program coordinator may designate the county designated mental health professional to perform the

detention and commitment duties described in RCW 70.96A.120 and 70.96A.140.

-- 2001 REGULAR SESSION --

Jan 9 First reading, referred to Human Services & Corrections.
 Jan 18 HSC - Majority; do pass.
 Passed to Rules Committee for second reading.
 Feb 2 Made eligible to be placed on second reading.
 Feb 20 Placed on second reading by Rules Committee.
 Mar 7 Floor amendment(s) adopted.
 Rules suspended. Placed on Third Reading.
 Third reading, passed: yeas, 48; nays, 0; absent, 1.

- IN THE HOUSE -

Mar 9 First reading, referred to Children & Family Services.

SB 5058 by Senators Gardner, Hale, Haugen, Horn, Costa, Patterson, Kline and McCaslin

Protecting records of strategy discussions.

(AS OF SENATE 2ND READING 3/14/01)

Provides that, after the arrest of a suspect and referral of the case to the prosecuting authority, basic arrest information contained within the police incident report is no longer exempt, unless the agency promptly requests an examination of the record in camera and obtains an injunction against such release pursuant to RCW 42.17.330.

Provides that, after conviction, acquittal, dismissal of charges, or declination to file, the remainder of the investigative file in that particular case is no longer exempt, unless the agency promptly requests an examination of the record in camera and obtains an injunction against such release pursuant to RCW 42.17.330.

Protects records the disclosure of which would reveal, directly or indirectly, the strategy or position to be taken by an agency during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings.

-- 2001 REGULAR SESSION --

Jan 10 First reading, referred to State & Local Government.
 Feb 8 SLG - Majority; do pass.
 Passed to Rules Committee for second reading.
 Mar 5 Made eligible to be placed on second reading.
 Mar 12 Placed on second reading by Rules Committee.
 Mar 14 Floor amendment(s) adopted.
 Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 47; nays, 1; absent, 1.

- IN THE HOUSE -

Mar 15 First reading, referred to State Government.

SB 5113-S by Senate Committee on Transportation (originally sponsored by Senators Costa, Swecker, Kastama, Fairley, Oke, Gardner, Haugen and Eide)

Regulating motorized scooters. (REVISED FOR ENGROSSED: Regulating motorized foot scooters.)

(AS OF SENATE 2ND READING 3/12/01)

Provides for the regulation of the use of motorized scooters.

Declares that persons under twelve years of age may not operate a motorized foot scooter.

Provides that motorized foot scooters may not be operated at any time from a half hour after sunset to a half hour before sunrise without reflectors of a type approved by the state patrol.

Declares that no driver's license is required to operate a motorized foot scooter.

Provides that a motorized foot scooter that is powered by an electric motor will be treated and regulated as a bicycle.

-- 2001 REGULAR SESSION --

Feb 8 TRAN - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 Passed to Rules Committee for second reading.
 Feb 20 Made eligible to be placed on second reading.
 Mar 8 Placed on second reading by Rules Committee.
 Mar 12 1st substitute bill substituted.
 Floor amendment(s) adopted.
 Rules suspended. Placed on Third Reading.
 Third reading, passed: yeas, 44; nays, 5; absent, 0.

- IN THE HOUSE -

Mar 15 First reading, referred to Transportation.

SB 5237-S by Senate Committee on Ways & Means (originally sponsored by Senators Rasmussen, Swecker, Sheahan, Honeyford, West, Fraser, Kastama, Regala, Hewitt, Hale, Parlette, Morton, Hochstatter and Franklin)

Making annual transfers of money into the fair fund.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, at the beginning of fiscal year 2002 and each fiscal year thereafter, the state treasurer shall transfer into the fair fund from the general fund the sum of two million dollars.

-- 2001 REGULAR SESSION --

Mar 26 WM - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

SB 5238-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Patterson, Johnson, McCaslin, Haugen and Fairley)

Modifying the board of commissioners of a water-sewer district.

(AS OF SENATE 2ND READING 3/09/01)

Provides that, in any district with more than twenty-five thousand customers, if a five-member board of commissioners determines by resolution that it would be in the best interest of the district to increase the number of commissioners from five to seven, the number of commissioners shall be so increased without an election, unless within ninety days of adoption of that resolution a petition requesting an election and signed by at least ten percent of the registered voters who voted in the last municipal general election is filed with the board. If such a petition is received, the board shall submit the resolution and the petition to the county auditor, who shall call a special election in the manner described in this act.

Declares that, except as provided in RCW 52.14.020, in the event a five-member or seven-member board of commissioners of any district determines by resolution that it would be in the best interest of the district to decrease the number of commissioners from five to three, or from seven to five, or in the event the board is presented with a petition signed by ten percent of the registered voters resident within the district who voted in the last general municipal election calling for such a decrease in the number of commissioners of the district, the board shall submit a resolution to the county legislative authority or authorities of the county or counties in which the district is located requesting that an election be held. Upon receipt of the resolution, the legislative authority or authorities of the county or counties shall call a special election to be held within the district.

Repeals RCW 57.08.110.

-- 2001 REGULAR SESSION --

Feb 2 SLG - Majority; 1st substitute bill be substituted, do pass.
Feb 5 Passed to Rules Committee for second reading.
Feb 20 Made eligible to be placed on second reading.
Mar 6 Placed on second reading by Rules Committee.

Mar 9 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 49; nays, 0; absent, 0.

- IN THE HOUSE -

Mar 14 First reading, referred to Local Government & Housing.

SB 5264-S by Senate Committee on Ways & Means (originally sponsored by Senators Prentice, Fraser, Patterson, Costa, Shin, Kline, Kohl-Welles, Constantine, Jacobsen, Winsley and Gardner)

Prohibiting public employers from misclassifying employees to avoid providing benefits.

(AS OF SENATE 2ND READING 3/14/01)

Declares an intent that public employers be prohibited from misclassifying employees, or taking other action to avoid providing or continuing to provide employment-based benefits to which employees are entitled under state law or employer policies.

Declares an intent that public employers should provide all persons who provide services for the employer, and who are in an employer-employee relationship with the employer, with the benefits of the employer-employee relationship. Health insurance, retirement benefits, sick and annual leave, and other similar employee benefits should be provided on a consistent basis, as defined by state law or employer policies, to all persons who have an employee-employer relationship with a public employer.

Does not intend to modify or mandate in any way the provision of benefits by this act, but instead intends that public employers apply benefit eligibility rules on an objective basis.

This act specifically is not intended to modify any statute or policy regarding the employment of public employee retirees who work as contractors or enrolled students who receive employment as student employees or as part of their education or financial aid.

-- 2001 REGULAR SESSION --

Mar 8 WM - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.
Mar 10 Made eligible to be placed on second reading.
Mar 12 Placed on second reading by Rules Committee.
Mar 14 1st substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 29; nays, 20; absent, 0.

- IN THE HOUSE -

Mar 15 First reading, referred to Commerce & Labor.

SB 5576-S2 by Senate Committee on Ways & Means
(originally sponsored by Senator
Hargrove; by request of Governor Locke)

Simplifying asset tests.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Amends RCW 74.04.005 relating to the simplification
of public assistance asset tests.

-- 2001 REGULAR SESSION --

Mar 26 WM - Majority; 2nd substitute bill be
substituted, do pass.
Passed to Rules Committee for second
reading.